

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
GEORGE JONES, JR.,

Plaintiff,

-against-

CON EDISON, et al.,

Defendants.  
-----x

P. KEVIN CASTEL, District Judge:

It appears that plaintiff's counsel did not comply with my Order of November 20. Stephane Montane, the lawyer within the firm now handling the case for plaintiff, has the flu and, separately, has had difficulty reaching the plaintiff, Mr. Jones.

Counsel for plaintiff reports that "both the home and cell phone numbers given to us by our client have recently stopped accepted calls . . . ." This is distressing in several respects, including concern for the well being of Mr. Jones. Plaintiff's counsel's stated willingness to give defendant's counsel "at least the authorizations for release of Plaintiff's medical documentation from his treating physicians as soon as we can get client [sic] to respond to our requests for same" provides little comfort that plaintiff intends to full comply with all discovery requests to which a timely objection was not made. It is somewhat encouraging that plaintiff's counsel reports an intention to visit the plaintiff's home prior to December 14, 2007.

I instruct defendant's counsel to refrain from filing the motion to compel at this time. If plaintiff cannot be located, then plaintiff's counsel should move to withdraw or consent to a dismissal without prejudice. I order that the meet and confer session contemplated by my November 20 Order take place after December 14 and that the Joint Letter described in my

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07 Civ. 3211(PKC)

ORDER

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November 20, 2007 Order be faxed to Chambers no later than December 20, 2007.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'P. Castel', written over a horizontal line.

P. Kevin Castel  
United States District Judge

Dated: New York, New York  
November 29, 2007